

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

V.

FREDERICK ALLEN MCCORMICK,

Defendant.

8:04CR218

ORDER RESCHEDULING
RESENTENCING HEARING

Pursuant to the Opinion of the Eighth Circuit Court of Appeals remanding this case to the district court for resentencing pursuant to *United States v. Booker*, 125 S. Ct. 738 (2005),

IT IS ORDERED:

1. That, at the request of defendant's counsel, resentencing of the defendant is rescheduled before the undersigned on **February 3, 2006, at 1:30 p.m.**, Courtroom No. 3, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska. The defendant must be present for this hearing.

2. The U.S. Marshal's Office is directed to return the defendant to this district for the above hearing.

DATED this 24th day of October, 2005.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge